

DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)
Wicklow Town-Rathnew Local Area Plan 2025-2031

"Local Area Plan" means the Wicklow Town-Rathnew Local Area Plan 2025-2031 (as made).

"Development Plan" means the Wicklow County Development Plan 2022-2028.

"Planning Authority" means Wicklow County Council.

"RSES" means the Regional Spatial and Economic Strategy for the Eastern and Midland Region.

"NPF" means the National Planning Framework First Revision (2025).

The Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Planning and Development Act 2000 (No.30 of 2000) ("the Act") and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2025 (S.I. No. 364 of 2025), and consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AP(4) of the Act, hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Wicklow Town-Rathnew Local Area Plan 2025-2031) Direction 2025.
- (2) The Planning Authority is hereby directed to take the following steps with regard to the Local Area Plan:
 - (a) Delete the following Material Alterations from the adopted Local Area Plan:
 - (i) **MA 20B,**
 - (ii) **MA 38,**
 - (iii) **MA 41,** and;
 - (b) in the cases of MA 20B and MA 38, apply the 'Changes Consequent' recommended by the Wicklow County Council Chief Executive at pages 42 and 43 of the section 31(8) report on the draft Direction *i.e.* the subject lands are each zoned Natural Areas (OS2), and;

- (c) in the case of MA 41, apply the "Chief Executive's recommendation" as recommended by the Wicklow County Council Chief Executive at page 44 of the section 31(8) report on the draft Direction *i.e.* the subject land is zoned Natural Areas (OS2).

STATEMENT OF REASONS

- I. The Local Area Plan includes material alterations to the draft Local Area Plan to change the zoning of the land to New Residential – Priority 1 (RN1) (MA 38), and Employment (E) (MA 41) located in Flood Zone A and B where the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) ("Flood Guidelines"), issued under section 28 of the Act, indicate that such uses are not appropriate unless a Justification Test is passed. The material alterations are therefore inconsistent with RPO 7.12 of the RSES to avoid inappropriate development in areas at risk of flooding in accordance with the Flood Guidelines, and Policy Objective CPO 14.06 of the County Development Plan to implement the Flood Guidelines.
- II. The Local Area Plan includes material alterations to the draft Local Area Plan to zone land for residential and employment development in areas of environmental and biodiversity sensitivity (MA 20B, MA 38 and MA 41), including land within the floodplain and in close proximity to a watercourse (MA 38 and MA 41), and adjacent to The Murrough SPA and The Murrough Wetlands SAC and the Broad Lough (MA 41).

Furthermore, a complete, precise and definitive finding and conclusion has not been reached that there would be no risk of adverse effects on the integrity of The Murrough SPA and The Murrough Wetlands SAC, and reasonable scientific doubt remains as to the adverse effects of development facilitated under the Employment (E) zoning objective on the European sites in question (MA 41).

The material alterations are therefore inconsistent with RPO 7.16 of the RSES, and Policy Objectives CPO 13.3, CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.7, and CPO 17.26 of the County Development Plan.

- III. The Local Area Plan has not been made in a manner consistent with, and has failed to implement, recommendations of the Office of the Planning Regulator under section 31AO of the Act.
- IV. The Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the Development Plan of the area contrary to the requirements of section 19(2) and section 20(5)(a) of the Act.
- V. The Local Area Plan as made is not consistent with the objectives of the RSES, contrary to section 19(2) of the Act.
- VI. The Minister is of the opinion that the Local Area Plan as made is not consistent with National Policy Objectives 52, 78, 85 and 87 of the NPF.
- VII. The Minister is of the opinion that the Local Area Plan fails to set out an overall strategy for the proper planning and sustainable development of the area.
- VIII. The Local Area Plan is not in compliance with the requirements of the Act.

GIVEN under my hand,

A handwritten signature in black ink, appearing to read 'John Cummins', with a long horizontal flourish extending to the right.

John Cummins TD

Minister of State for Local Government and Planning

7th October 2025